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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN MARIANA ISLANDS

12 UNITED STATES OF AMERICA,) Criminal Case No. 05-00009
13)
Plaintiff,)
14)
v.) SECOND NOTICE PURSUANT TO FED. R.
15) EVID. 404(b)
JOSE CRUZ ALDAN,)
16 a/k/a, "Joe,")
17 Defendant.)
18)
19)
_____)

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21 PLEASE TAKE NOTICE that the Government intends to offer into evidence at trial
22 evidence concerning defendant Jose Cruz Aldan's other drug transactions with Liu, Ya Jun
23 during January and February, 2004: namely, that the defendant purchased .5 or 1.0 grams of ice
24 from Liu at the Hong's Apartment building on five or six occasions. The government plans to
25 offer this evidence as intrinsic evidence related to Count Two. See, e.g., United States v.
26 Beckman 298 F.3d 788, 793 (9th Cir. 2002); United States v. DeGeorge, 380 F.3d 1203, 1220 (9th
27 Cir. 2004).

28 As an alternate basis, the government will offer this evidence pursuant to Federal Rule of
Evidence 404(b). Such evidence will be offered to prove motive, opportunity, intent,

1 preparation, plan, knowledge, identity, and absence of mistake or accident with respect to Counts
2 One and Two of the Indictment.

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6 LEONARDO M. RAPADAS
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9 DATED: August 11, 2006

10 By: TIMOTHY E. MORAN
Assistant U.S. Attorney
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